

AMENDED IN SENATE MAY 1, 2000

SENATE BILL

No. 2028

Introduced by Senator Figueroa

February 25, 2000

An act to amend Sections ~~18602~~ 7810, 7815.5, 18602, and 18613 of, *and to amend and repeal Section 2475 of*, the Business and Professions Code, relating ~~to the State Athletic Commission~~ *professions and vocations*.

LEGISLATIVE COUNSEL'S DIGEST

SB 2028, as amended, Figueroa. *Podiatric Medicine: Geologists and Geophysicists: State Athletic Commission.*

(1) *The Medical Practice Act provides for the licensing and regulation of podiatrists by the California Board of Podiatric Medicine. Certain provisions governing the practice of podiatric medicine by postgraduate trainees, interns, resident postdoctoral fellows, or instructors will become inoperative on July 1, 2000, and will be repealed on January 1, 2001, to be replaced by other provisions that will become operative on July 1, 2000.*

This bill would repeal the provisions that become operative on July 1, 2000. This bill would instead indefinitely extend the operation of the provisions that otherwise would be repealed on January 1, 2001.

(2) *The Geologist and Geophysicists Act provides for the licensing and regulation of geologists and geophysicists by the State Board of Registration for Geologists and Geophysicists. The provisions creating the board and authorizing the board*

to appoint an executive officer will become inoperative on July 1, 2001, and will be repealed on January 1, 2002.

This bill would instead provide that these provisions would become inoperative on July 1, 2005, and would be repealed on January 1, 2006.

(3) The Boxing Act provides for the establishment of the State Athletic Commission within the Department of Consumer Affairs and makes the commission responsible for the regulation of boxing, kickboxing, and martial arts contests, matches, and exhibitions. Under existing law, the provisions creating the commission will become inoperative on July 1, 2001, and will be repealed on January 1, 2002.

~~This bill would delete these dates, thereby extending the operation of these provisions until an unspecified date instead provide for these provisions to become inoperative on July 1, 2005, and to be repealed on January 1, 2006.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *Section 2475 of the Business and*
2 *Professions Code, as amended by Section 26 of Chapter*
3 *655 of the Statutes of 1999, is amended to read:*

4 2475. ~~(a)~~Unless otherwise provided by law, no
5 postgraduate trainee, intern, resident postdoctoral
6 fellow, or instructor may engage in the practice of
7 podiatric medicine, or receive compensation therefor, or
8 offer to engage in the practice of podiatric medicine
9 unless he or she holds a valid, unrevoked, and
10 unsuspended certificate to practice podiatric medicine
11 issued by the division. However, a graduate of an
12 approved college or school of podiatric medicine upon
13 whom the degree doctor of podiatric medicine has been
14 conferred, who is issued a limited license, which may be
15 renewed annually for up to four years, for this purpose by
16 the division upon recommendation of the board, and who
17 is enrolled in a postgraduate training program approved
18 by the board, may engage in the practice of podiatric



1 medicine whenever and wherever required as a part of
2 that program under the following conditions:

3 ~~(1)~~

4 (a) A graduate with a limited license in an approved
5 internship, residency, or fellowship program may
6 participate in training rotations outside the scope of
7 podiatric medicine, under the supervision of a physician
8 and surgeon who holds a medical doctor or doctor of
9 osteopathy degree wherever and whenever required as
10 a part of the training program, and may receive
11 compensation for that practice. If the graduate fails to
12 receive a license to practice podiatric medicine under
13 this chapter within two years from the commencement
14 of the postgraduate training, all privileges and
15 exemptions under this section shall automatically cease.

16 ~~(2)~~

17 (b) Podiatric hospitals functioning as a part of the
18 teaching program of an approved college or school of
19 podiatric medicine in this state may exchange instructors
20 or resident or assistant resident podiatrists with another
21 approved college or school of podiatric medicine not
22 located in this state, or those hospitals may appoint a
23 graduate of an approved school as such a resident for
24 purposes of postgraduate training. Those instructors and
25 residents may practice and be compensated as provided
26 in paragraph (1), but that practice and compensation
27 shall be for a period not to exceed one year.

28 ~~(b) This section shall become inoperative on July 1,~~
29 ~~2000, and as of January 1, 2001, is repealed, unless a later~~
30 ~~enacted statute, which becomes effective on or before~~
31 ~~January 1, 2001, deletes or extends the dates on which it~~
32 ~~becomes inoperative and is repealed.~~

33 *SEC. 2. Section 2475 of the Business and Professions*
34 *Code, as amended by Section 27 of Chapter 655 of the*
35 *Statutes of 1999, is repealed.*

36 ~~2475. (a) Unless otherwise provided by law, no~~
37 ~~postgraduate trainee, intern, resident postdoctoral~~
38 ~~fellow, or instructor may engage in the practice of~~
39 ~~podiatric medicine, or receive compensation therefor, or~~
40 ~~offer to engage in the practice of podiatric medicine~~

~~1 unless he or she holds a valid, unrevoked, and
2 unsuspended certificate to practice podiatric medicine
3 issued by the division. However, a graduate of an
4 approved college or school of podiatric medicine upon
5 whom the degree doctor of podiatric medicine has been
6 conferred, who is enrolled in a postgraduate training
7 program approved by the board, may engage in the
8 practice of podiatric medicine whenever and wherever
9 required as a part of that program under the following
10 conditions:~~

~~11 (1) A graduate in an approved internship, residency,
12 or fellowship program may participate in training
13 rotations outside the scope of podiatric medicine, under
14 the supervision of a physician and surgeon who holds a
15 medical doctor or doctor of osteopathy degree wherever
16 and whenever required as a part of the training program,
17 and may receive compensation for that practice. If the
18 graduate fails to receive a license to practice podiatric
19 medicine under this chapter within two years from the
20 commencement of the postgraduate training, all
21 privileges and exemptions under this section shall
22 automatically cease.~~

~~23 (2) Podiatric hospitals functioning as a part of the
24 teaching program of an approved college or school of
25 podiatric medicine in this state may exchange instructors
26 or resident or assistant resident podiatrists with another
27 approved college or school of podiatric medicine not
28 located in this state, or those hospitals may appoint a
29 graduate of an approved school as such a resident for
30 purposes of postgraduate training. Those instructors and
31 residents may practice and be compensated as provided
32 in paragraph (1), but that practice and compensation
33 shall be for a period not to exceed one year.~~

~~34 (b) This section shall become operative on July 1, 2000.~~

~~35 SEC. 3. Section 7810 of the Business and Professions
36 Code is amended to read:~~

~~37 7810. The State Board of Registration for Geologists
38 and Geophysicists is within the department and is subject
39 to the jurisdiction of the department. Except as provided
40 in this section, the board shall consist of eight members,~~

1 five of whom shall be public members, two of whom shall
2 be geologists, and one of whom shall be a geophysicist.

3 Each member shall hold office until the appointment
4 and qualification of the member's successor or until one
5 year has elapsed from the expiration of the term for which
6 the member was appointed, whichever occurs first.
7 Vacancies occurring prior to the expiration of the term
8 shall be filled by appointment for the remainder of the
9 unexpired term.

10 Each appointment shall be for a four-year term
11 expiring June 1 of the fourth year following the year in
12 which the previous term expired. No person shall serve
13 as a member of the board for more than two consecutive
14 terms.

15 The Governor shall appoint three of the public
16 members and the three members qualified as provided in
17 Section 7811. The Senate Committee on Rules and the
18 Speaker of the Assembly shall each appoint a public
19 member, and their initial appointment shall be made to
20 fill, respectively, the first and second public member
21 vacancies that occurred on or after January 1, 1983.

22 At the time the first vacancy is created by the
23 expiration of the term of a public member appointed by
24 the Governor, the board shall be reduced to consist of
25 seven members, four of whom shall be public members,
26 two of whom shall be geologists, and one of whom shall be
27 a geophysicist. Notwithstanding any other provision of
28 law, the term of that member shall not be extended for
29 any reason, except as provided in this section.

30 This section shall become inoperative on July 1, ~~2001~~
31 2005, and, as of January 1, ~~2002~~ 2006, is repealed, unless a
32 later enacted statute, that becomes operative on or
33 before January 1, ~~2002~~ 2006, deletes or extends the dates
34 on which it becomes inoperative and is repealed. The
35 repeal of this section renders the board subject to the
36 review required by Division 1.2 (commencing with
37 Section 473).

38 *SEC. 4. Section 7815.5 of the Business and Professions*
39 *Code is amended to read:*

1 7815.5. The board may appoint a person exempt from
2 civil service who shall be designated as an executive
3 officer and who shall exercise the powers and perform the
4 duties delegated by the board and vested in him or her by
5 this chapter.

6 This section shall become inoperative on July 1, ~~2001~~
7 2005, and, as of January 1, ~~2002~~ 2006, is repealed, unless a
8 later enacted statute, which becomes effective on or
9 before January 1, ~~2002~~ 2006, deletes or extends the dates
10 on which it becomes inoperative and is repealed.

11 *SEC. 5.* Section 18602 of the Business and Professions
12 Code is amended to read:

13 18602. Except as provided in this section, there is in
14 the Department of Consumer Affairs the State Athletic
15 Commission, which consists of eight members. Six
16 members shall be appointed by the Governor, one
17 member shall be appointed by the Senate Rules
18 Committee, and one member shall be appointed by the
19 Speaker of the Assembly.

20 The members of the commission appointed by the
21 Governor are subject to confirmation by the Senate
22 pursuant to Section 1322 of the Government Code.

23 No person who is licensed under this chapter as a
24 promoter, manager, or judge may be appointed or
25 reappointed to, or serve on, the commission.

26 Upon the first expiration of the term of a member
27 appointed by the Governor, the commission shall be
28 reduced to seven members. Notwithstanding any
29 provision of law, the term of that member shall not be
30 extended for any reason.

31 This section shall become inoperative on July 1,
32 ~~2005~~, and as of January 1, ~~2006~~, is
33 repealed, unless a later enacted statute, which becomes
34 operative on or before January 1, ~~2006~~, deletes
35 or extends the dates on which it becomes inoperative and
36 is repealed. The repeal of this section renders the
37 commission subject to the review required by Division 1.2
38 (commencing with Section 473).

39 ~~SEC. 2.~~

1 *SEC. 6.* Section 18613 of the Business and Professions
2 Code is amended to read:

3 18613. The commission shall appoint an executive
4 officer and fix his or her compensation. The executive
5 officer shall carry out the duties prescribed by this
6 chapter and additional duties as may be delegated by the
7 commission. The commission may employ in accordance
8 with Section 154 other personnel as may be necessary for
9 the administration of this chapter.

10 This section shall become inoperative on July 1,
11 2005, and, as of January 1, 2006, is
12 repealed, unless a later enacted statute, which becomes
13 effective on or before January 1, 2006, deletes or
14 extends the dates on which it becomes inoperative and is
15 repealed.

